

IN RE: PETITION FOR ZONING VARIANCE
W/W corner Goucher Boulevard
and Putty Hill Avenue
(804 Mockingbird Lane)
9th Election District
4th Councilmanic District
Towson East Joint Venture
Petitioner

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 91-25-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioner herein requests a variance to permit a satellite dish with a diameter of 16 feet and a height of 16.5 feet in lieu of the maximum permitted 10-foot width and 15-foot height, respectively, in accordance with Petitioner's Exhibit 1.

The Petitioner, through its agent Panzer Management, by Mary Williamson, appeared, testified and was represented by Karen Plumer, Esquire. Also appearing on behalf of the Petition was Richard Wells, General Manager of Mid-Atlantic Cable.

Testimony indicated that the subject property, known as 804 Mockingbird Lane, is the site of the Courthouse Square Apartment complex. The requested variance concerns a satellite dish which is proposed to be located to the rear of the subject property near the swimming pool as depicted on Page 2 of Petitioner's Exhibit 1. Testimony indicated that a smaller satellite dish has existed at this location for some time but provides inadequate reception. Mr. Wells testified that Mid-Atlantic Cable investigated various other site locations and dish sizes and determined that the proposed dish in the current location is the most appropriate. The other alternative would be to install three smaller dishes in lieu of the one proposed. Testimony indicated that the granting of the variance will not result in any detriment to the health, safety or general welfare of the

surrounding community. Petitioner believes that the proposed dish will be adequately buffered from the surrounding community as a result of additional plantings placed by Mid-Atlantic Cable and growth which has existed on the site for many years. Petitioner submitted photographs which evidenced existing planting; however, since much of the planting is deciduous, additional pine trees may be appropriate to screen the dish from the view of adjoining property owners. Petitioner agreed, however, to meet with the Area Planner, as requested by the Office of Planning in their comments dated July 24, 1990, and provide additional landscaping if required.

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioner and his property. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioner must meet the following:

- 1) whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
- 2) whether the grant would do substantial injustice to applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give substantial relief; and
- 3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

It is clear from the testimony that if the variance is granted, such use as proposed would not be contrary to the spirit of the B.C.Z.R. and would not result in substantial detriment to the public health, safety, and general welfare.

- 2 -

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the variance requested should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 18th day of September, 1990 that the Petition for Zoning Variance to permit a satellite dish with a diameter of 16 feet and a height of 16.5 feet in lieu of the maximum permitted 10-foot width and 15-foot height, respectively, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted:

- 1) The Petitioners may apply for their permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the variance granted herein shall be rescinded and Petitioners would be required to return, and be responsible for returning, said property to its original condition.
- 2) Petitioner shall plant additional white pines in the area surrounding the dish to screen the dish from abutting property owners along Brook Road.
- 3) Petitioner shall submit a schematic landscaping plan for the area around the proposed satellite dish for approval by the Director of Planning and/or the Deputy Director within sixty (60) days of the date of this Order.
- 4) The variances granted herein are limited to placement of the proposed satellite dish in the location set forth on Page 2 of Petitioner's Exhibit 1.

ANN M. NASTAROWICZ
Deputy Zoning Commissioner
for Baltimore County

ORDER RECEIVED FOR FILING
Date 9/18/90
By [Signature]

AMN:bjs

- 3 -

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 387-3353

J. Robert Haines
Zoning Commissioner

September 18, 1990



Dennis F. Rasmussen
County Executive

Karen Plumer, Esquire
8325 Cherry Lane
Laurel, Maryland 20707

RE: PETITION FOR ZONING VARIANCE
NW/Corner Goucher Boulevard and Putty Hill Avenue
(804 Mockingbird Lane)
9th Election District - 4th Councilmanic District
Towson East Joint Venture - Petitioners
Case No. 91-25-A

Dear Ms. Plumer:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Zoning Variance has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact Ms. Charlotte Radcliffe at 887-3391.

Very truly yours,

ANN M. NASTAROWICZ
Deputy Zoning Commissioner
for Baltimore County

AMN:bjs

cc: Mr. Richard Wells, General Manager
Mid-Atlantic Cable, 9017-G Mendenhall Ct. Columbia, Md. 21045

People's Counsel

File

PETITION FOR ZONING VARIANCE
TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: 91-25-A

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 429.2.

To allow a satellite dish with a diameter of 16 ft. and a height of 16.5 ft. in lieu of the permitted 10 ft. & 15 ft., respectively.
of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (Indicate hardship or practical difficulty)
SEE ATTACHED

MAP NE 108
E.D. 9
DATE 11-14-90
200 GF
1000
DP C

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser: Legal Owner(s):
(Type or Print Name) Towson East Joint Venture
Signature [Signature] Signature [Signature]
Address Edward S. Panzer, General Partner
(Type or Print Name)
City and State
Signature
Attorney for Petitioner: Robert H. Levan
(Type or Print Name) Address Phone No.
Signature City and State
8325 Cherry Lane Name, address and phone number of legal owner, contract purchaser or representative to be contacted
Address 804 Mockingbird Lane
City and State 9017-G Mendenhall Ct.
Attorney's Telephone No.: 712-7613 Address Columbia, MD 21045 Phone No. 290-6533

ORDERED By The Zoning Commissioner of Baltimore County, this 11th day of September, 1990, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be held before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 17th day of September, 1990, at 10:30 o'clock.

ESTIMATED LENGTH OF HEARING - 1/2 HR.
AVAILABLE FOR HEARING MON./TUES./WED. - NEXT TWO MONTHS
OTHER
REVIEWED BY: DATE (over) 10-15-90

MID-ATLANTIC CABLE TV
PETITION FOR ZONING VARIANCE
BALTIMORE COUNTY, MARYLAND
ATTACHMENT 91-25-A

The satellite dish is located appropriately in the back yard of the property. The terrain is such that the dish must be located on a hill. The height as measured from the top of the dish to the bottom of the hill is greater than 15'. The height of the dish as measured from the top of the dish to the top of the hill, is less than 15'.

The diameter of a dish as set forth in Section 429.2 is to be no greater than 10'. The dish, which is the subject of this Petition, is 5 meters, which is approximately 16'.

In order to obtain reception of the number of cable channels which are usual and customary to the business, Petitioner had the option of installing three (3) smaller dishes or the one dish which is the subject of this Petition. Utilization of one dish is less disruptive to the site from a practical standpoint as well as with regard to any environmental impact which may be inherent in satellite or wireless communication facilities.

The placement of the dish meets the other requirements set forth in the County Code in that it is located in the backyard of the site and does not encompass more than 40% of the backyard portion of the site.

GSW/alr
761x117.alr
1196-19

Zoning Description

EXHIBIT A 91-25-A

All that parcel of land in the Ninth Election District of Baltimore County, State of Maryland, being more particularly described as follows:

BEGINNING for the same at a point on the north side of Putty Hill Road, as laid out seventy feet wide, at the distance of 259.09 feet, as measured westerly along said north side of Putty Hill Road and the easterly prolongation thereof from the intersection of said easterly prolongation with the southerly prolongation of the west side of Goucher Boulevard, as laid out one hundred and ten feet wide, said beginning point being at the westernmost corner of Lot No. 1 as laid out on the plat of Section Three "Loch Raven Manor" as recorded among the Land Records of Baltimore County in Plat Book G.L.B. 23 page 122, and running thence, binding on said north side of Putty Hill Road, south 85 degrees 40 minutes 50 seconds west 141.96 feet, thence still binding on said north side of Putty Hill Road and on the northeast side of Hillen Road, as widened, northwesterly, by a curve to the right with a radius of 344.00 feet, the distance of 280.87 feet, said arc being subtended by a chord bearing north 70 degrees 55 minutes 44 seconds west 273.14 feet and north 47 degrees 32 minutes 17 seconds west 228.43 feet, thence along the northeast side of said Hillen Road, as shown on the "Plan to Accompany Right of Way Agreement" recorded among the Land Records of Baltimore County in Highways Liber No. 15A Folio 201(1) northwesterly, by a curve to the left with a radius of 1830.00 feet the distance of 443.05 feet, said arc being subtended by a chord bearing north 34 degrees 28 minutes 26 seconds west 41.97 feet and (2) northwesterly, by a curve to the left with a radius of 530.00 feet, the distance of 131.60 feet, said arc being subtended by a chord bearing north 68 degrees 37 minutes 52 seconds west 133.25 feet to intersect the first line of the land described in the deed from Eudocia Stansbury (widow) to William P. Cole, dated July 17, 1899 and recorded among said Land Records in Liber N.B.M. 238, page 442, thence binding on a part of said first line, north 27 degrees 17 minutes 00 seconds east 1432.97 feet to intersect the southwest side of said Goucher Boulevard, thence binding thereon the three following courses and distances, (1) south easterly by a line curving to the left with a radius of 1965.00 feet, the distance of 387.14 feet, said arc being subtended by a chord bearing south 30 degrees 37 minutes 11 seconds east 386.52 feet, (2) south 36 degrees 15 minutes 50 seconds east 218.44 feet and (3) southeasterly, by a line curving to the right with a radius of 1855.00 feet, the distance of 902.67 feet, said arc being subtended by a chord bearing south 22 degrees 19 minutes 24 seconds east 893.80 feet to the northeastern corner of said Lot No. 1, thence binding on the northwest side thereof, south 23 degrees 18 minutes 31 seconds west 563.95 feet to the place of beginning. Containing 10.9 acres of land.

SAVING AND EXCEPTING therefrom as much thereof as was granted and conveyed to Baltimore County, Maryland under the following Deeds:

(1) Deed dated March 26, 1970 and recorded in O.T.G. 5124 folio 273 from Herman Greenberg and Jack L. Baylin, Trustees et al. for the widening of Hillen Road.

(2) Deed dated February 6, 1978 and recorded in E.N.K.Jr. 5997 folio 680 from Herman Greenberg and Jack L. Baylin, Trustees et al. for the widening of Putty Hill Avenue.

91-25-A

Exhibit A, continued#6689 Pln:238

BEING a part of all that parcel of land which by Deed dated January 18, 1965 and recorded in R.R.G. 4414 folio 520, was granted and conveyed by Hospital For Consumptives Of Maryland to Herman Greenberg and Jack L. Baylin, Trustees for Herman Greenberg, Albert M. Small, Allan L. Berman and Jack L. Baylin, Joint Venture, trading as Towson East Joint Venture under an unrecorded Agreement dated January 14, 1965.

Rec'd for record APT 4 1984 at 10 PM
Per Elmer H. Kahline, Clerk
Mail to [Signature]
Receipt No. [Signature]

91-25-A

LIBR 689 233

THIS DEED, is made this 28th day of March, 1984, by and between Herman Greenberg and Jack L. Baylin, Trustees for and between Herman Greenberg, Albert H. Small, Allan Berman, and Jack L. Baylin, Joint Venturers trading as Towson East Joint Venture under an unrecorded Agreement dated January 14, 1965, parties of the first part; Herman Greenberg, Raymond Greenberg, Albert H. Small, Jean R. Berman, Jack L. Baylin and Bernard S. Kleinman, Joint Venturers trading as Towson East Joint Venture, parties of the second part; and Towson East Joint Venture under an unrecorded Agreement dated January 14, 1965, party of the third part.

WITNESSETH, that in consideration of the sum of Five Dollars (\$5.00) and other good and valuable considerations (the actual consideration paid or to be paid is Zero Dollars), the receipt whereof is hereby acknowledged, the said parties of the first part, in exercise and pursuance of the powers conferred upon them as Trustees aforesaid, do hereby grant and convey unto the party of the third part and its assigns, in fee simple, All that parcel of land described in Exhibit A attached hereto and made a part hereof.

The said parties of the second part join in the execution of this deed for the purpose of consenting to the conveyance of the property hereinbefore described.

TOGETHER WITH the buildings and improvements thereupon erected, and the rights, alleys, ways, waters, privileges, appurtenances and advantages, thereto belonging or in anywise appertaining.

TO HAVE AND TO HOLD the said described parcel of land and premises unto and to the use of the said party of the third part and its assigns, in fee simple.

AND the said parties of the first part, the Grantors, hereby covenant that they have not done or suffered to be done any act, matter or thing whatsoever to encumber the property hereby conveyed, and that they will warrant specially the property hereby granted, and that they will execute such further assurances of the same as may be requisite.

WITNESS the hands and seals of the parties hereto the day of March and year first above written.

Witness:
Herman Greenberg (SEAL)
Jack L. Baylin (SEAL)

TRANSFER TAX NOT REQUIRED
County of Prince Georges
Per: [Signature]
Date: 11-15-84

91-25-A

LIBR 689 234

STATE of MARYLAND, CITY of BALTIMORE, to wit:
I HEREBY CERTIFY, that on this 28th day of March, 1984, before me, the subscriber, a Notary Public of the aforesaid State, personally appeared HERMAN GREENBERG, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument and acknowledged that he executed the same for the purposes therein contained, and further acknowledged said instrument to be his act, and in my presence signed and sealed the same.

STATE of MARYLAND, CITY of BALTIMORE, to wit:

I HEREBY CERTIFY, that on this 28th day of March, 1984, before me, the subscriber, a Notary Public of the aforesaid State, personally appeared HERMAN GREENBERG, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument and acknowledged that he executed the same for the purposes therein contained, and further acknowledged said instrument to be his act, and in my presence signed and sealed the same.

AS WITNESS, my hand and notarial seal.

My commission expires: 7/1/86
Notary Public

91-25-A

LIBR 689 235

STATE of MARYLAND, CITY of BALTIMORE, to wit:
I HEREBY CERTIFY, that on this 28th day of March, 1984, before me, the subscriber, a Notary Public of the aforesaid State, personally appeared JACK L. BAYLIN, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument and acknowledged that he executed the same for the purposes therein contained, and further acknowledged said instrument to be his act, and in my presence signed and sealed the same.

AS WITNESS, my hand and notarial seal.

My commission expires: 7/1/86
Notary Public

District of Columbia, to wit:
I HEREBY CERTIFY, that on this 28th day of March, 1984, before me, the subscriber, a Notary Public of the aforesaid State, personally appeared RAYMOND GREENBERG, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument and acknowledged that he executed the same for the purposes therein contained, and further acknowledged said instrument to be his act, and in my presence signed and sealed the same.

AS WITNESS, my hand and notarial seal.

My commission expires: 7/1/86
Notary Public

District of Columbia, to wit:
I HEREBY CERTIFY, that on this 28th day of March, 1984, before me, the subscriber, a Notary Public of the aforesaid State, personally appeared ALBERT H. SMALL, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument and acknowledged that he executed the same for the purposes therein contained, and further acknowledged said instrument to be his act, and in my presence signed and sealed the same.

AS WITNESS, my hand and notarial seal.

My commission expires: 7/1/86
Notary Public

91-25-A

LIBR 689 236

STATE of MARYLAND, CITY of BALTIMORE, to wit:
I HEREBY CERTIFY, that on this 28th day of March, 1984, before me, the subscriber, a Notary Public of the aforesaid State, personally appeared JEAN R. BERMAN, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument and acknowledged that he executed the same for the purposes therein contained, and further acknowledged said instrument to be his act, and in my presence signed and sealed the same.

AS WITNESS, my hand and notarial seal.

My commission expires: 7/1/86
Notary Public

STATE of MARYLAND, CITY of BALTIMORE, to wit:
I HEREBY CERTIFY, that on this 28th day of March, 1984, before me, the subscriber, a Notary Public of the aforesaid State, personally appeared BERNARD S. KLEINMAN, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument and acknowledged that he executed the same for the purposes therein contained, and further acknowledged said instrument to be his act, and in my presence signed and sealed the same.

AS WITNESS, my hand and notarial seal.

My commission expires: 7/1/86
Notary Public

receipt

N 2748
2560

PAID PER HAND-WRITTEN RECEIPT

PUBLIC HEARING FEES

PUBLIC HEARING FEES

TOTAL: \$175.00

LAST NAME OF OWNER: EAST JOINT VENTURE

Baltimore County Zoning Commissioner

Account: R-001-6150

N 2560
2748

Mid-Atlantic Cable

Commercial Variance Filing Fee

NWC Goucher Blvd. & Putty Hill Ave (at Hillen Rd.)

Item # 446

\$175.00

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 9A Date of Posting: 7/14/90
Posted for: [Signature]
Petitioner: Towson East Joint Venture
Location of property: N.W. Corner of Hillen Rd. & Putty Hill Ave
Location of Sign: [Signature]
Remarks: [Signature]
Posted by: [Signature] Date of return: 8/31/90
Number of Signs: 1

Baltimore County Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(410) 887-3353J. Robert Haines
Zoning CommissionerMid-Atlantic Cable TV
3017-C Mendenhall Court
Columbia, Maryland 21045

ATTN: RICHARD WELLS

Re: Petition for Zoning Variance

CASE NUMBER: 91-25-A

NWC Goucher Boulevard and Putty Hill Avenue

804 Mockingbird Lane

9th Election District - 4th Councilmanic

Petitioner(s): Towson East Joint Venture

HEARING: FRIDAY, SEPTEMBER 14, 1990 at 10:30 a.m.

Gentlemen:

Please be advised that \$17.41 is due for advertising and posting of the above captioned property.

THIS FEE MUST BE PAID AND THE ZONING SIGN & POST SET(S) RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT ISSUE.

DO NOT REMOVE THE SIGN & POST SET(S) FROM THE PROPERTY UNTIL THE DAY OF THE HEARING.

Please make your check payable to Baltimore County, Maryland. Bring the check and the sign & post set(s) to the Zoning Office, County Office Building, 111 W. Chesapeake Avenue, Room 113, Towson, Maryland fifteen (15) minutes before your hearing is scheduled to begin.

Be advised that should you fail to return the sign & post set(s), there will be an additional \$50.00 added to the above amount for each such set not returned.

Very truly yours,

J. Robert Haines

ZONING COMMISSIONER

JRH:gs

cc: Robert H. Levan, Esq.

CERTIFICATE OF PUBLICATION

TOWSON, MD., 8/17, 1990

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 8/15, 1990.

THE JEFFERSONIAN,

S. Zeke Orlean

Publisher

P.O. 106274

CERTIFICATE OF PUBLICATION

TOWSON, MD., 8/17, 1990

THIS IS TO CERTIFY, that the annexed advertisement was published in TOWSON TIMES, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 8/15, 1990.

TOWSON TIMES,

S. Zeke Orlean

Publisher

P.O. 106274

\$ 103.41

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3353
J. Robert Haines
Zoning Commissioner

July 19, 1990



Dennis F. Rasmussen
County Executive

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building located at 111 W. Chesapeake Avenue in Towson, Maryland 21204 as follows:

Petition for Zoning Variance
CASE NUMBER: 91-25-A
NW/C Goucher Boulevard and Putty Hill Avenue
804 Mockingbird Lane
9th Election District - 4th Councilmanic
Petitioner(s): Towson East Joint Venture
HEARING: FRIDAY, SEPTEMBER 14, 1990 at 10:30 a.m.

Variance to allow a satellite dish with a diameter of 16 ft. and a height of 16 1/2 ft. in lieu of the permitted 10 ft. and 15 ft., respectively.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.

J. Robert Haines
Zoning Commissioner of
Baltimore County

cc: Mid-Atlantic CATV
Robert H. Levan, Esq.

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3353
J. Robert Haines
Zoning Commissioner

September 7, 1990



Dennis F. Rasmussen
County Executive

Robert H. Levan, Esquire
8325 Cherry Lane
Laurel, MD 20707

RE: Item No. 446, Case No. 91-25-A
Petitioner: Towson East Joint Venture
Petition for Zoning Variance

Dear Mr. Levan:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

IT WOULD BE APPRECIATED IF YOU WOULD RETURN YOUR WRITTEN COMMENTS TO MY OFFICE, ATTENTION JULIE WINIARSKI. IF YOU HAVE ANY QUESTIONS REGARDING THIS, PLEASE CONTACT HER AT 887-3391.

Very truly yours,
JAMES E. DYER
Chairman
Zoning Plans Advisory Committee

JED:jw

Enclosures

cc: Mr. Richard Wells
Mid-Atlantic CATV
9017 G Mendenhall Court
Columbia, MD 21045

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3353
J. Robert Haines
Zoning Commissioner



Dennis F. Rasmussen
County Executive

Your petition has been received and accepted for filing this
11th day of July, 1990.

J. Robert Haines
Zoning Commissioner

Received By:

Chairman,
Zoning Plans Advisory Committee

Petitioner: Towson East Joint Venture, et al

Petitioner's Attorney: Robert H. Levan

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: J. Robert Haines
Zoning Commissioner

DATE: July 24, 1990

FROM: Pat Keller, Deputy Director
Office of Planning and Zoning

SUBJECT: Towson East Joint Venture, Item No. 446

The Petitioner requests a Variance to allow a satellite dish with a diameter of 16 ft. and a height of 16-1/2 ft. in lieu of 10 ft. and 15 ft., respectively.

In reference to the Petitioner's request staff offers the following comments:

- Staff conducted a site visit to observe the location of the "satellite dish". The inspection of the property revealed that the Court House Square apartment complex is one of the county's best designed, landscaped, and maintained rental communities. In addition, staff observed that the subject dish is presently located on the northeast portion of the property. Currently, the foliage of major deciduous trees partially screen the view of the dish from the single-family homes along Brook Road. In order to reinforce the existing mature landscaping, staff suggests that several white pines be planted in the area of the existing satellite dish.

Should the Petitioner's request be granted, staff recommends that a schematic landscape plan be submitted to the Baltimore County landscape planner for the area in the immediate vicinity of the receiving dish.

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3211.

PK/JL/cmm

ITEM446/2AC1

Baltimore County
Fire Department
700 East Joppa Road, Suite 901
Towson, Maryland 21204-5500
(301) 887-4500
Paul H. Reincke
Chief

JULY 3, 1990



Dennis F. Rasmussen
County Executive

J. Robert Haines
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, MD 21204

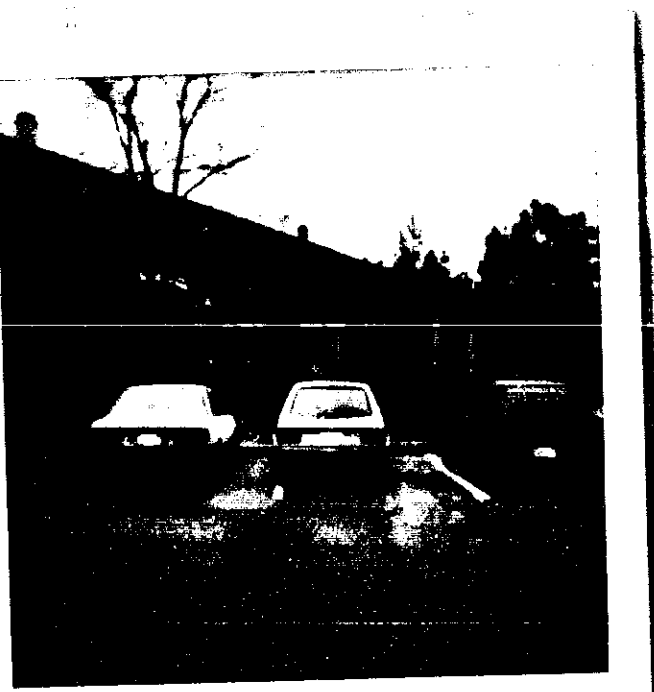
RE: Property Owner: TOWSON EAST JOINT VENTURE
Location: #804 MOCKINGBIRD LANE
Item No.: 446 Zoning Agenda: JULY 10, 1990

Gentlemen:
Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

7. The Fire Prevention Bureau has no comments at this time.

REVIEWER: [Signature] 7-10-90 Noted and Approved
Planning Group Fire Prevention Bureau
Special Inspection Division

PHOTO
3-23-91



BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

JULY 3, 1990

TO: J. ROBERT HAINES, ZONING COMMISSIONER, DEPARTMENT ZONING

FROM: CHARLES E. BURNHAM, PLANS REVIEW CHIEF, DEPARTMENT OF PERMITS & LICENSES

SUBJECT: ZONING ITEM #: 446
PROPERTY OWNER: Towson East Joint Venture
& LOCATION: NW/C Goucher Blvd & Putty Hill Ave. at Hillen Road
Court House Square Apartments (#804 Mockingbird La)
ELECTION DISTRICT: 9th
COUNCILMANIC DISTRICT:

A REVIEW OF THE SITE PLAN FOR THE ABOVE ZONING ITEM INDICATES THE FOLLOWING:

() PROPOSED SITE PLAN DOES, DOES NOT, COMPLY TO STATE CODE OF MARYLAND REGULATION 05.01.07, MARYLAND BUILDING CODE FOR THE HANDICAPPED.

() PARKING LOCATION () RAMPS (degree slope)
() NUMBER PARKING SPACES () CURB CUTS
() BUILDING ACCESS () SIGNAGE

() PLAN DOES, DOES NOT COMPLY TO SET BACKS FOR EXTERIOR FIRE SEPARATION DISTANCE OF ARTICLE 5 AND ARTICLE 9 OF THE CURRENT BALTIMORE COUNTY BUILDING CODE.

(X) A BUILDING PERMIT IS REQUIRED BEFORE ANY CONSTRUCTION CAN BEGIN. SECTION 111.1 OF ARTICLE 1. CONSTRUCTION DRAWINGS MAY BE REQUIRED.

() A CHANGE OF OCCUPANCY PERMIT IS REQUIRED TO CHANGE THE EXISTING USE OF THE STRUCTURE TO THE PROPOSED USE. SEE ARTICLE THREE AND ARTICLE ONE, SECTION 103.2 ALTERATIONS MAY BE NECESSARY BY CODE TO COMPLY TO NEW USE REQUIREMENTS.

() STRUCTURE IS SUBJECT TO FLOOD PLAIN LIMITATIONS, SECTION 516.0 COUNCIL BILL #158-88 (BALTIMORE COUNTY BUILDING CODE).

(X) OTHER - NO FURTHER COMMENT

PERMITS MAY BE APPLIED FOR @ ROOM 100, 111 WEST CHESAPEAKE AVENUE, TOWSON, MARYLAND 21204 - PHONE - 887-3900.

THIS REVIEW COVERS ONLY MAJOR ITEMS ASSOCIATED WITH THE SITE PLAN, A FULL REVIEW MAY BE CONDUCTED WHEN THE PERMIT APPLICATION AND PLANS ARE SUBMITTED.

CHECK ITEM APPLICABLE TO THIS PLAN

JUL 05 1990

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
SIGNATURE AND CERTIFICATION BLOCK

1. I certify that this Final Landscape Plan meets all requirements (check where appropriate):

☐ - Baltimore County Landscape Manual
☒ - Office of Planning Zoning CRC or Waiver No. 91-25-A
☒ - Special Exception/Hearing/Variance No. 91-25-A
☐ - Rezoning, Documented Site Plan No.

N/A
Landscape Architect's Signature L.A.'s Name (please print)

Address City State Zip Phone

2. "I certify that I have reviewed this Final Landscape Plan, that I am aware of the regulations presented in the Baltimore County Landscape Manual, and I agree to comply with these regulations and all applicable policy, guidelines and ordinances. I agree to implement this plan and certify to Baltimore County its implementation within the year of approval."

Owner's Signature Date Owner's Name (please print)
804 Mockingbird LA Towson Md
Address City State Zip

3. REVIEWED BY:

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME ADDRESS
Richard Wells 1716 Markil LA Silver Spring Md 20905
Dany Plummer Esq. 8325 Cherry Lane Laurel, MD 20707

Baltimore County Government
Office of Zoning Administration
and Development Management
Office of Planning & Zoning

111 West Chesapeake Avenue
Towson, MD 21204

August 6, 1991

887-3353

Towson East Joint Venture
1200 East Ridgewood Avenue
Ridgewood, New Jersey 07451

RE: Case Nos. C-90-2143 and 91-25A
N/W Corner of Goucher Boulevard and
Putty Hill Avenue
9th Election District

Dear Sir/Madam:

As a follow up to this office's letter of July 26, 1991, I have been informed by Zoning Inspector Kevin Connor that the schematic landscape plan has been approved by the Deputy Director of Planning, Robert Bender, on August 5, 1991.

With such action taking place, this property now conforms with the order written by the Deputy Zoning Commissioner, Ann M. Nastarowicz, and thus our case file can finally be closed.

If for any reason additional questions should remain, please contact this office at (301) 887-3351.

Sincerely,

JAMES H. THOMPSON
Zoning Enforcement Coordinator

JHT:ljg

cc: Councilman Douglas B. Riley
Robert H. Levan, Esquire
Gail Wheat, Esquire
Richard Wells, Agent for
Towson East Joint Venture

Plot showing property known as Section Two, COURT HOUSE SQUARE APARTMENTS



VICINITY MAP
SCALE 1" = 2000'
TAX MAP 70 PARCEL 885

CERTIFICATION FOR SURVEY

To General Electric Capital Corporation and Commonwealth Land Title Insurance Company, I hereby certify that to the best of my knowledge, information and belief, that the survey prepared by me entitled "Certification Plot, Court House Square Apartments, Section One and Two" was actually made upon the ground and that it and the information, courses and distances shown thereon are correct; that the title lines and lines of actual possession are the same; that the size, location and type of buildings and improvements are as shown and all are within the boundary lines and applicable set-back lines of the property; that there are no visible violations of zoning ordinances, restrictions or other rules and regulations with reference to the location of said buildings and improvements, except as noted; that there are no easements or uses affecting this property appearing from a careful physical inspection of the same, other than those shown and depicted thereon; that there are no visible encroachments affecting this property except as noted; that all utility services required for the operation of the premises either enter the premises through adjoining public streets, or the survey shows the point of entry and location of any utilities which pass through or are located on adjoining private land; that any utility transformer located on the premises is depicted hereon; that the survey shows the location of all storm drainage systems for the collection and disposal of surface drainage; that except as shown hereon, there are no gaps, strips, gores or overlaps between parcels included within the property or between the property and any roads, highways, streets, or alleys and all parcels which constitute the property are contiguous; the undersigned has received and examined a copy of the title report prepared by Commonwealth Land Title Insurance Company, Case Number 181-861735, effective April 4, 1984 and of each instrument listed thereon; the location of the reference easements thereon have been shown hereon to the extent that they can be shown.

I hereby certify that I have examined the Flood Insurance Rate Map 240910-0265B effective March 2, 1981 for the subject property and find it in an area designated zone C - area of minimal flooding.

This survey is made in accordance with the "Minimum Standard Detail Requirements for Land Title Surveys" jointly established and adopted by American Land Title Association and American Congress on Surveying and Mapping in 1962.

Ronald W. Broyles 12-000-88
Date
Registered Property Line Surveyor
Maryland license No. 322



NOTE:

The following title exceptions from the referenced title report's Schedule B are either not plottable or blanket in nature:

1. Agreement dated April 25, 1934 by and between Hospital for Consumptives of Maryland and Consolidated Gas Electric Light and Power Company of Baltimore recorded in Liber CMB 927 at Folio 433, among the Land Records for Baltimore County, Maryland. Not plottable - reference poles not found.
2. Agreement dated August 9, 1983 by and between Hospital for Consumptives of Maryland and Consolidated Gas Electric Light and Power Company of Baltimore recorded in Liber MCL 656 at Folio 491, among the Land Records of Baltimore County, Maryland. Not plottable from referenced notes.
3. Declaration of Easement and Agreement for use of recreational areas and parking area dated October 6, 1967 by and between Haman Greenberg and Jack Baylis, trustees, Maryland National Bank, Trustee, and American Security and Trust Company, recorded in Liber ORG 481 at Folio 74, among the Land Records for Baltimore County, Maryland. Not plottable - no reference to boundary lines.
4. Easement and Right of Way 10' in width for the installation, maintenance and removal of sewer pipes dated January 9, 1941 by and between the Hospital for Consumptives of Maryland and the County Commissioners of Baltimore County, recorded in Liber 1118 at Folio 449, among the Land Records for Baltimore County, Maryland. Not plottable, off-site.

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY TO THE TRAVELERS INSURANCE COMPANY, AND COMMONWEALTH LAND TITLE INSURANCE COMPANY THAT THIS SURVEY IS CORRECT, THAT IT IS CORRECT AS TO AREA SHOWN, THAT RIGHTS OF WAY AND EASEMENTS OF RECORD OR PHYSICALLY EVIDENT ARE DELINEATED HEREON; THAT ADJOINING PUBLIC ROADS ARE CORRECTLY SHOWN; THAT THE POSITION OF THE EXISTING IMPROVEMENTS, IF ANY, ON THE HEREIN DESCRIBED PROPERTY HAVE BEEN CAREFULLY ESTABLISHED BY THE TRANSIT-TAPE SURVEY AND THAT UNLESS OTHERWISE SHOWN HEREON THERE ARE NO ENCROACHMENTS THAT THE IMPROVEMENTS, IF ANY, LIE ENTIRELY WITHIN THE DEFINED BOUNDARIES SET FORTH HEREON.

Ronald W. Broyles L.S. 3989
RONALD W. BROYLES L.S. 3989
DATE

* ALL SIDEWALKS 4' WIDE EXCEPT AS SHOWN

THIS PLAT SHOWS THE PHYSICAL IMPROVEMENTS AS OF DEC. 8, 1983.

ADDITIONAL INFORMATION AS TO RIGHT OF WAY EASEMENTS ETC, IF ANY, HAVE NOT BEEN SHOWN.

CURRENT ZONING OF PROPERTY IS DR-1G AS PER BALTIMORE COUNTY ZONING PLAT N.E. 9-B DATED 1970

THIS PLAT HAS BEEN REDRAWN FROM A PRINT OF THE ORIGINAL TRACING ISSUED 4-21-88, WITH THE ADDITION OF TITLE DATA FOR RIGHTS OF WAY AND EASEMENTS.

91-25-A

CERTIFICATION PLAT
SECTION TWO

"COURT HOUSE SQUARE APARTMENTS"
9TH ELECTION DISTRICT BALTIMORE COUNTY, MO.

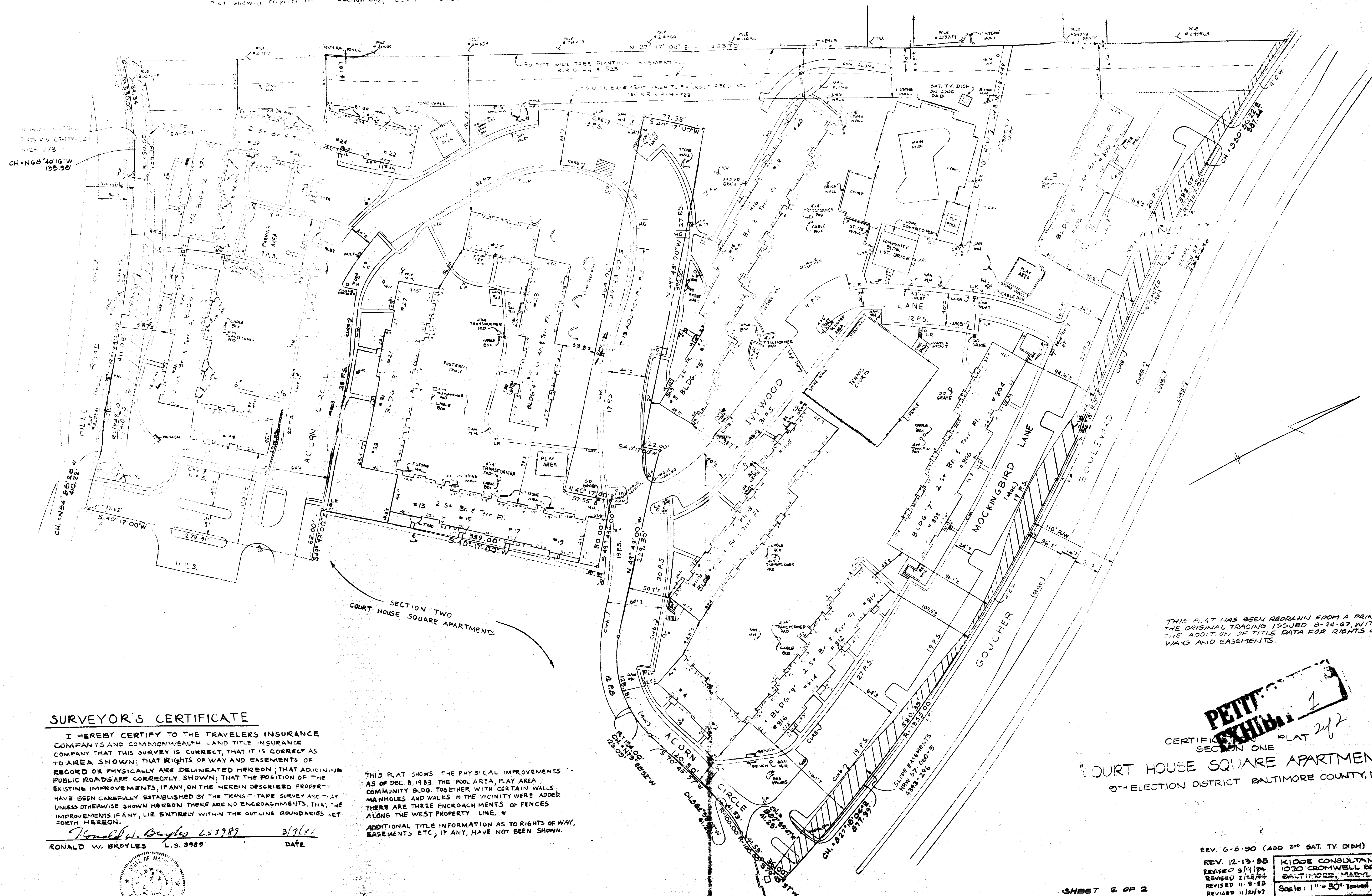
PRINTER'S
EXHIBIT 1

JUN 80 1990
KIDDE CONSULTANTS, INC.

SHEET 1 OF 2

20-90 (ADD ZONING NO.)
6-8-90 (ADD 2ND SET, T.V. DATA)
REV. 12/1/88
REV. 2/1/89
REV. 12/1/89
REV. 12/1/89
REV. 12/1/89
KIDDE CONSULTANTS, INC.
1020 CROMWELL BLVD., 12TH FLOOR
BALTIMORE, MARYLAND 21201
Scale: 1" = 50'

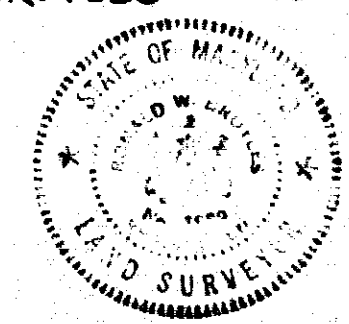
PLAT SHOWING PROPERTY FROM Section One, COURT HOUSE SQUARE APARTMENTS.



SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY TO THE TRAVELERS INSURANCE COMPANY AND COMMONWEALTH LAND TITLE INSURANCE COMPANY THAT THIS SURVEY IS CORRECT, THAT IT IS CORRECT AS TO AREA SHOWN; THAT RIGHTS OF WAY AND EASEMENTS OF RECORD OR PHYSICALLY ARE DELINEATED HEREON; THAT ADJOINING PUBLIC ROADS ARE CORRECTLY SHOWN; THAT THE POSITION OF THE EXISTING IMPROVEMENTS, IF ANY, ON THE HEREIN DESCRIBED PROPERTY, HAVE BEEN CAREFULLY ESTABLISHED BY THE TRANSIT TAPE SURVEY AND THAT UNLESS OTHERWISE SHOWN HEREON THERE ARE NO ENCROACHMENTS, THAT THE IMPROVEMENTS, IF ANY, LIE ENTIRELY WITHIN THE OUTLINE BOUNDARIES SET FORTH HEREON.

Ronald W. Boyles L.S. 3989 3/9/84
RONALD W. BOYLES L.S. 3989 DATE



THIS PLAT SHOWS THE PHYSICAL IMPROVEMENTS AS OF DEC 8, 1983. THE POOL AREA, PLAY AREA, COMMUNITY BLDG. TOGETHER WITH CERTAIN WALLS, MANHOLES AND WALKS IN THE VICINITY WERE ADDED. THERE ARE THREE ENCROACHMENTS OF FENCES ALONG THE WEST PROPERTY LINE. *
ADDITIONAL TITLE INFORMATION AS TO RIGHTS OF WAY, EASEMENTS ETC., IF ANY, HAVE NOT BEEN SHOWN.

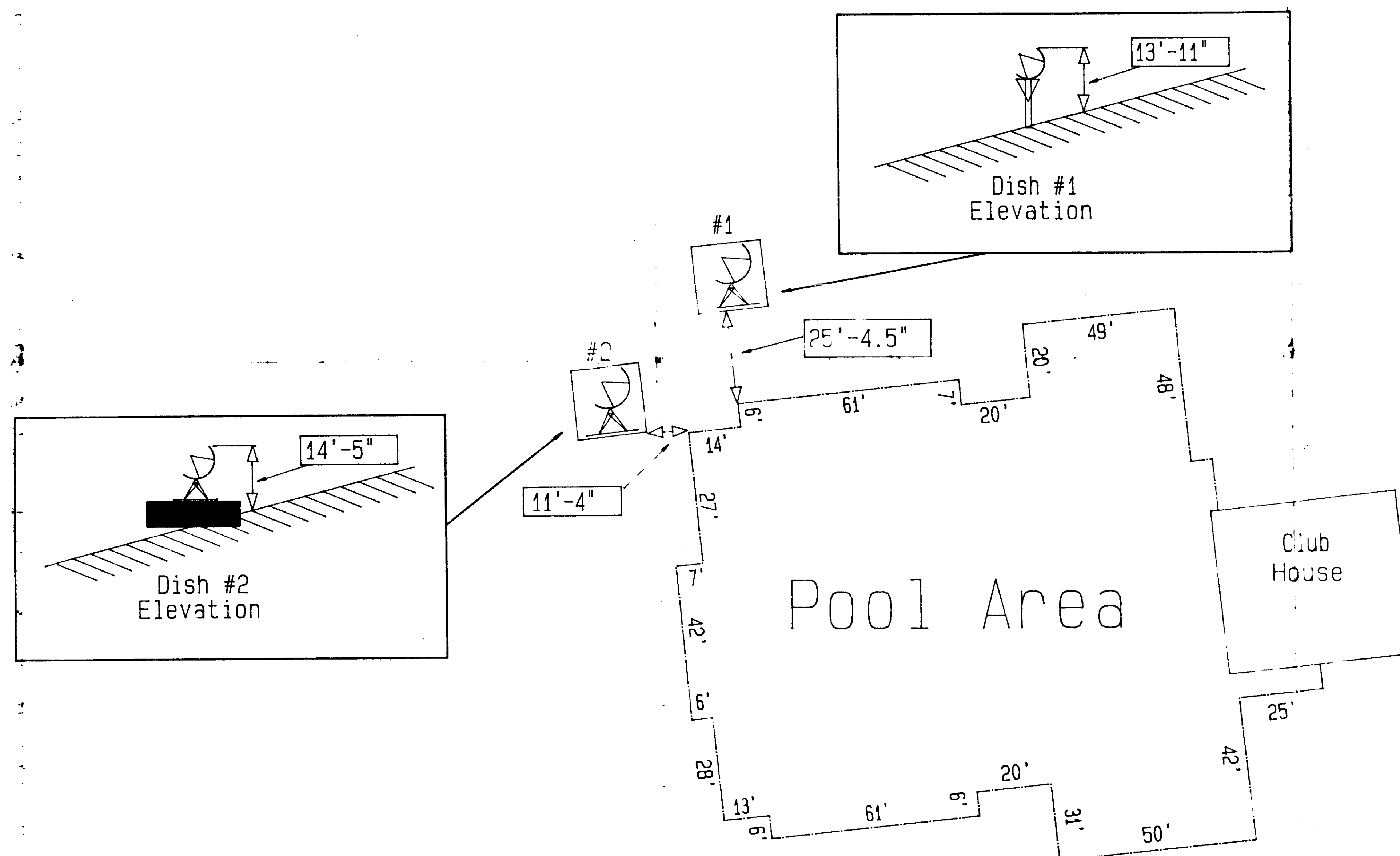
THIS PLAT HAS BEEN REDRAWN FROM A PRINT OF THE ORIGINAL TRACING ISSUED 8-24-87, WITH THE ADDITION OF TITLE DATA FOR RIGHTS OF WAY AND EASEMENTS.

PETT
EXHIBIT 1
CERTIFICATE PLAT 2 of 2
SECTION ONE
"COURT HOUSE SQUARE APARTMENTS"
9TH ELECTION DISTRICT BALTIMORE COUNTY, MD.

REV. 6-8-90 (ADD 2ND SAT. TV. DISH)

REV. 12-13-88
REVISED 5/4/84
REVISED 2/18/84
REVISED 11-8-83
REVISED 11/21/87
KIDDE CONSULTANTS INC.
1020 CROMWELL BRIDGE
BALTIMORE, MARYLAND 21211
Scale: 1" = 50' (approx.)

Keep in mind
Dish Height
14' 5"



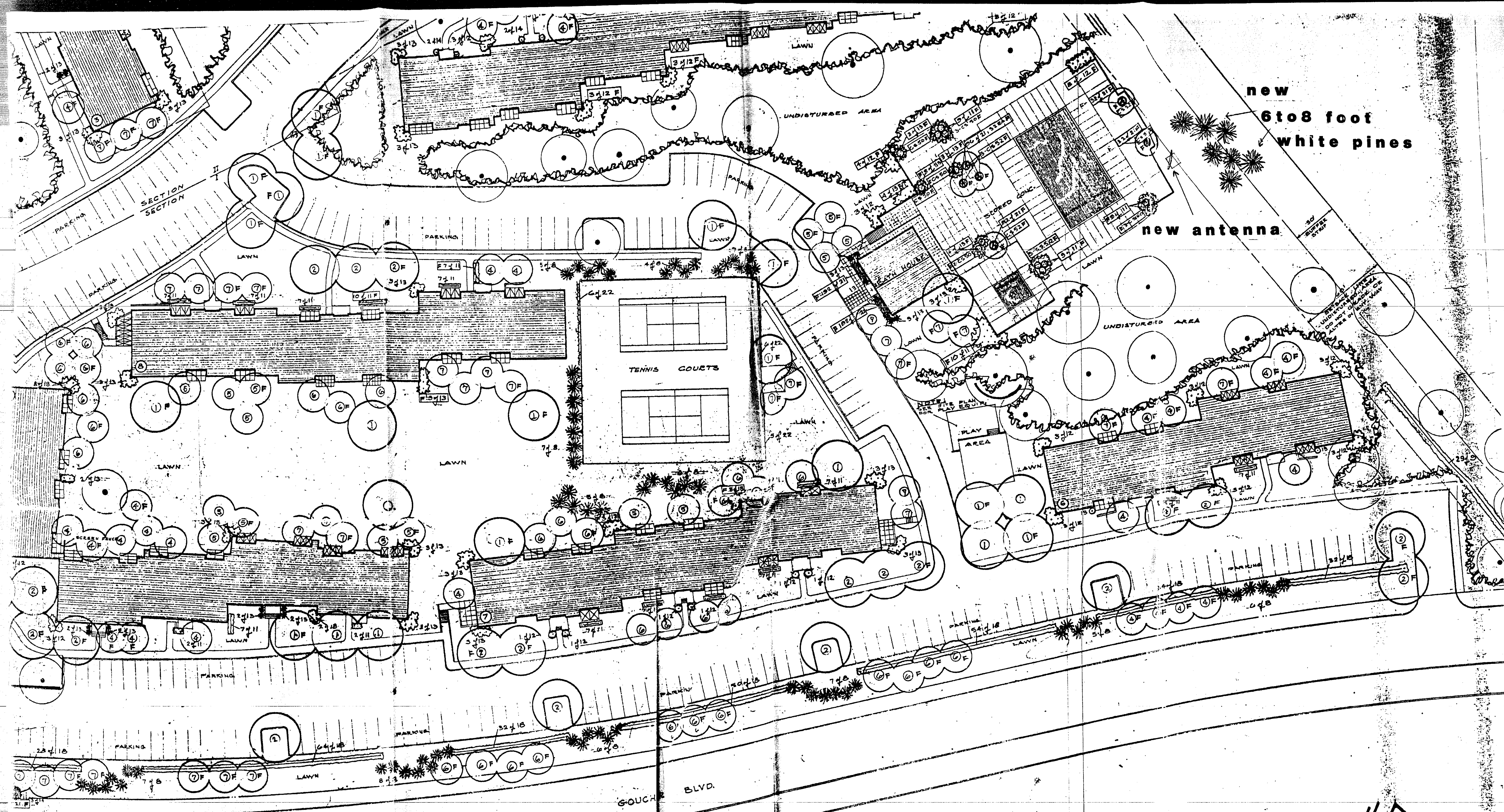
91-25-A

PROJECT:

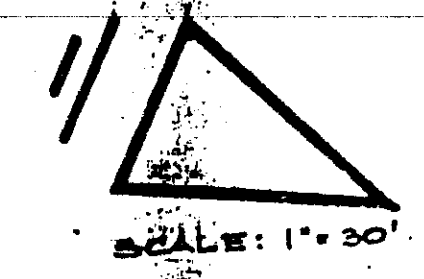
Courthouse Square

FOR:

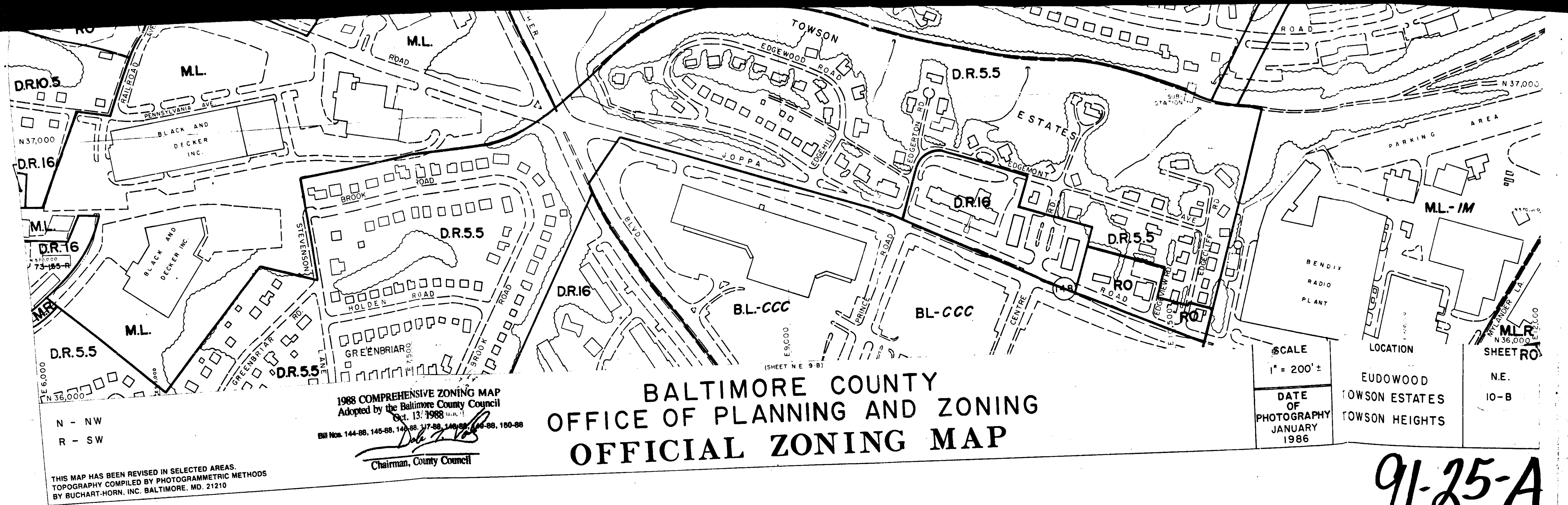
Mid-Atlantic Cable



BAY COUNTY
 OFFICE OF PLANNING & ZONING
☐ Additional Landscaping Not Required
☒ Modification of Landscaping Not Required
☐ Final Preparation by Landscape Architect/Varied
 FOR ZONING PURPOSES ONLY
 BY *Chapman*
 DATE 1-4-71



LANDSCAPE PLAN
 1000 DOWNSIDE - LANDSCAPE
 1111 COLLETSVILLE ROAD
 QUIET HOUSE, MD



91-25-A
 1446

